

THE SECRETARY OF STATE
WASHINGTON 25, D. C.DEPARTMENT OF STATE
WASHINGTON

May 27, 1963

MEMORANDUM FOR: The Honorable John A. McCone
Director, Central Intelligence Agency

The White House has requested the State Department to distribute the attached memorandum to each member of the NSC Standing Group prior to the May 28 meeting.

William H. Brubeck
Executive Secretary

Attachment:

Copy No. 5 May 27 memorandum on Possible
Soviet Initiatives to End US Aerial
Reconnaissance Over Cuba

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MEMORANDUM FOR THE NSC STANDING GROUP

SUBJECT: Possible Soviet Initiatives to End US
Aerial Reconnaissance Over Cuba

Problem:

To evaluate considerations involved and the various options available to the USSR and Cuba in seeking to end US aerial reconnaissance over Cuba.

Discussion:

The Soviet Union, and still more Castro's Cuba, wish the cessation of US overflights of Cuba. The issue at present is only in the background, and the Communists evidently do not feel it is desirable to raise their objection prominently until they think there is something they can do about it. They evidently recognize that the shooting down of a reconnaissance plane would probably provoke active countermeasures to which they could not effectively respond, and moreover not end the surveillance. Assuming that they continue to believe that they cannot with impunity use direct action to end the overflights, they may nonetheless turn to other measures in an effort to compel us to stop further reconnaissance. Moreover, they

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Exempted from automatic downgrading
by R. L. Smith

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may believe that some such other measures may, even if unsuccessful in themselves, create a better foundation for shooting down a plane later.

Alternative Courses of Action:

There appear to be six possible lines of political action open to the Communists in attempting to get us to call off the aerial reconnaissance of Cuba:

- (1) Cuba could protest in the United Nations General Assembly and/or Security Council, calling for condemnation of the US action and for a cessation of the flights.
- (2) Cuba could bring action before the International Court of Justice, or seek UN action requesting an advisory opinion from the ICJ, calling for cessation of the flights.
- (3) The Soviets could initiate pressures elsewhere--such as Berlin, privately or publicly tying the new pressure to the continuing overflight of Cuba, and offering to relax the new point of tension in exchange for cessation of aerial reconnaissance of Cuba.
- (4) The Soviets could privately offer to withdraw all Soviet military personnel from Cuba in exchange for quiet dropping of aerial surveillance by the US.

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(5) The Cubans could publicly propose a trade-off allowing ground inspection in exchange for an end to aerial inspection, but we are sure they would not do this unless they also added in demands for ground inspection in Florida or elsewhere in the Caribbean.

(6) The Cubans could, with discrete Soviet assistance, initiate aerial reconnaissance of some other area in the Caribbean--say, Guatemala or Nicaragua--on the grounds that offensive military action was being prepared in those countries (as it had been before the Bay of Pigs attack), justifying and requiring Cuba to undertake this peaceful aerial inspection. Then, the Cubans could offer to call off their surveillance if we call off ours.

Action in the United Nations:

A Cuban protest in the United Nations, vigorously supported by the other Communist powers, would open up an issue which most people have forgotten. They would probably gain some support for the idea that indefinite aerial overflight and reconnaissance was an undue infringement of sovereignty and should be stopped. The US defense would rest on two bases: The OAS Resolution of October 23 authorizing such action, and the de facto resolution of the October crisis in which with forbearance the US settled for unobtrusive aerial reconnaissance

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instead of insisting on ground inspection. Therefore, it would not be necessary to rest our case on a general right to reconnaissance, and this should hold in line many states which would be unwilling to agree to any position which justified aerial reconnaissance over their own countries.

It seems unlikely that the Cubans could get the necessary two-thirds of the General Assembly or a majority of the Security Council to support them (in the latter case, of course, we would veto). In fact, we believe that the Cubans, and the Soviets, would not expect an initiative in the UN to end the overflights, and probably not even to garner enough votes to be useful propaganda against the US action.

Action by the ICJ:

Cuba has not agreed, and is not likely to agree, to compulsory adjudication by the International Court. If she did, there are a number of counter-suits which the US could initiate (expropriations of US properties, etc.). However, while the Cubans could not be sure of winning their case on the overflights, we could be even less sure of winning. Our defense would be the OAS Resolution of October 23, but if Cuba announced its complete severance from the OAS (which it has not yet done), it is doubtful that we would win.

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On balance, we think it unlikely that Cuba would submit its case to the ICJ, but if they did and we conceded jurisdiction to the Court, we could be in trouble.

Counterpressures:

The Soviets could initiate pressures elsewhere. In particular, they could attempt to gain support from our European Allies by making an end of reconnaissance over Cuba the price for warding off a new Berlin crisis. There are certain precedents for the Soviet policy of counterpressures, which would be more likely in a situation where the Soviets could better control the degree of tension than they could, for example, when there was a real crisis over Cuba. Nonetheless, it would appear unlikely that the Soviets would expect, or would succeed in rallying, much support in the West for a sellout on Cuban reconnaissance in exchange for relaxation of artificially generated tensions elsewhere.

Inducements:

If the Soviets and Cubans are sufficiently desirous of ending the overflights, they might approach us privately with an offer of some expendable quid pro quo. In particular, if they should decide that the continued presence of Soviet military personnel was not

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essential, they could offer the complete withdrawal of such personnel in exchange for an end of the overflights. They would, of course, have to consider that if the US refused, they would have tipped their hand on the negotiability of the continued Soviet military presence. Nonetheless, if they are sufficiently concerned, and do not believe they can force their way, they may attempt to buy it.

Presumably, our response would be insistence that the overflights continue until there was also active on-ground inspection, and that Soviet offers to withdraw their military only reflected growing awareness of the untenability of their position in having military men in Cuba in the first place.

Bargaining:

The Cubans could announce with much fanfare their readiness to accept ground inspection if aerial surveillance were ceased and if ground inspection were made of places which they believed were being used to mount offensive action against Cuba: the Bahamas, Florida, Puerto Rico, and perhaps others. If this approach followed protests by Cuba or in the UN, it might persuade some that the Cubans had a reasonable solution as well as a justified complaint.

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The US defense would be acceptance in principle of the encouraging Cuban indication of readiness to substitute effective ground inspection for aerial coverage, but rejection of any tie-in of the extraneous matter of alleged support for offensive actions against Cuba, and noting (in backgrounding) US clamp-down on Cuban exile activists. The OAS members would probably hold firm with us, but some might be willing to entertain the Cuban offer plus inspection against subversive training and export by Castro. All in all, the Cubans would be less likely now than in November to stir up much support for their position, and would probably not effectively create an impression of reasonableness sufficient to provide political justification for unilateral action to stop the overflights.

Sauce for the Goose:

The Cubans could tacitly embrace our own concept for justification, and turn it against us. They could announce that they were mounting aerial reconnaissance over some area where offensive forces had previously been mounted against them. Conceivably, they could carry reciprocal action to the point of announcing in advance their plans to overfly Dade County or Puerto Rico, but recognizing the greater risk in this initiative it seems more likely that they would pick

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Nicaragua, Guatemala, or the Dominican Republic for MIG-17 or B-26 overflight. They would probably announce their intention in advance in order to undercut our use of presumptive bombing attack as justification for immediate interception. If the United States undertook or supported the interdiction of Cuban reconnaissance flights, the Cubans would have a much stronger basis for an appeal to the UN complaining over Yankee attempts to apply a double standard. If we did not interfere, there would be substantial repercussions outside of Cuba and some pressures to agree to mutual cessation of reconnaissance overflights. Again in this case, the chief US defense would be the OAS Resolution of October 23.

Conclusions:

This quick survey of possible Communist initiatives to end US aerial surveillance of Cuba is not exhaustive, but includes the half-dozen most feasible courses they might consider. None of them appears so sure of success as to be immediately attractive, but such decision is also a product of the intensity of their desire to end the overflights, which it is difficult to measure.

The possible courses of action are not necessarily mutually exclusive. The Communists could concert a carrot and stick combination

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of UN action and pressures, for example. They could try several courses in turn. A counterpressure on our access to Berlin would pose greatest danger of direct confrontation with the USSR and would be the course most involving pressures on our NATO Allies.

Attached is an illustrative scenario, couched in terms of a memorandum to Khrushchev from his "staff," outlining one way in which the Soviets might combine some of the possible options described above.

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